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2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Working paper on the peaceful uses of nuclear energy submitted by the Lebanese Republic on behalf of the States members of the League of Arab States to the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

1. The Nuclear Non-Proliferation Treaty has two principal objectives. The first is to promote international peace and security through nuclear disarmament and non-proliferation. The second is to facilitate the exercise by non-nuclear-weapon States, without exception, of their right to the development, production and use of nuclear energy for peaceful purposes. It is with those objectives that the Treaty became the cornerstone of the disarmament and nuclear non-proliferation regime.

2. The preamble to the Treaty expresses support for research and affirms that the benefits of peaceful applications of nuclear technology should be available to all States parties. It provides that all States parties are entitled to exchange scientific information in order to develop those applications. Article IV states that nothing in the Treaty shall be interpreted as affecting the inalienable right of all the parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with Articles I and II.

3. The Arab States note that certain States parties to the Treaty have modified their export policy in order to severely restrict the transfer of knowledge and technology to developing States parties. Such transfers have been made conditional on additional obligations or the waiving of rights enshrined in the Treaty.

4. Moreover, the Arab States note the existence of double standards in the transfer of nuclear materials and technology to States not parties to the Treaty. Certain exporting States have provided technical assistance to non-parties, thereby failing to comply with the letter and spirit of the Treaty, and contravening decision 2 adopted at the 1995 Review and Extension Conference, which sets forth principles and objectives for nuclear non-proliferation and disarmament. Paragraph 12 of the decision states that new supply arrangements for the transfer of source or special fissionable material or equipment or material especially designed or prepared for the processing, use or production of special fissionable material to non-nuclear-weapon States should require, as a necessary precondition, acceptance of the Agency's full-scope safeguards and internationally legally binding commitments not to acquire nuclear weapons or other nuclear explosive devices.

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5. In the context of the exercise by Arab States of the right to the use of nuclear technology for peaceful purposes, the Council of the League of Arab States at the summit level, meeting at its 19th and 20th ordinary sessions in 2007 and 2008 respectively, adopted two significant resolutions:

(a) The resolution entitled "The development of peaceful uses of nuclear energy in the States members of the League of Arab States", which provides that Arab States will work at the national level to establish scientific and research infrastructure in the field of nuclear energy, and train experts accordingly;

(b) The resolution entitled "Formulation of a common Arab programme for the peaceful use of nuclear energy", which calls for regional Arab cooperation in order to establish joint projects to promote development in the relevant areas.

6. Over the past two years, numerous Arab States have announced national plans to use nuclear technology for peaceful purposes in every area that would promote sustainable development. In March 2009, the League of Arab States at the summit level, meeting at its 21st ordinary session in Doha, adopted the Arab Strategy for the Peaceful Uses of Nuclear Energy until 2020.

7. In exercise of their rights as parties to the Treaty, a number of Arab States have announced that they will increase their use of nuclear technologies in all areas that would promote sustainable development. With that end in mind, they have begun to enact the executive procedures set forth in resolution 383 of the Council.

8. The Arab States take note of the initiatives of certain parties regarding the supply of nuclear fuel, and strongly reject any attempt, regardless of the pretext, to dissuade States parties from developing and/or obtaining nuclear technology for peaceful purposes.

9. The Arab States stress their commitment to all the international instruments to which they are parties, and look forward to cooperating with the relevant international agencies and, first and foremost, the International Atomic Energy Agency. The Arab States emphasize the prominent role of the Agency in assisting developing States parties to engage in the peaceful use of nuclear energy through a neutral approach aimed at improving their scientific and technological capabilities in those areas.

10. On the basis of the foregoing, the Arab States stress the following principled positions on those issues:

(a) All States parties to the Treaty have the fundamental, inalienable right to possess and develop nuclear technology for peaceful purposes. Any attempt to so interpret any Article of the Treaty as to restrict that right is unacceptable;

(b) The comprehensive safeguards agreements of the International Atomic Energy Agency are the legal framework and benchmark for verifying that nuclear energy is used for peaceful purposes in accordance with the Treaty. The Additional Protocol to the Treaty is voluntary and non-binding;

(c) No new commitments for non-nuclear-weapon States parties to the Treaty can be accepted until there has been genuine progress in achieving the universality of the Treaty, realizing nuclear disarmament, ensuring that all States parties comply with current commitments and, in particular, ensuring implementation of the resolution on the Middle East adopted at the 1995 Review and Extension Conference;

(d) The International Atomic Energy Agency has sole responsibility for verifying implementation of comprehensive safeguards agreements with States parties. The Arab States urge the Agency to maintain its neutrality and function in conformity with the Statute;

(e) The Arab States call on the Agency to halt the technical programmes provided to Israel. Cooperation with Israel on nuclear issues should be suspended until it accedes to the Treaty as a non-nuclear-weapon State and places all its nuclear facilities under a comprehensive safeguards agreement. Those steps are a necessary precondition in order to promote the universality, credibility and effectiveness of the Treaty;

(f) The Arab States reject attacks and/or the threat of attacks against nuclear facilities. Such actions would have negative repercussions on nuclear security and regional and international peace and security and, by using force in such cases, bring into question the application of international law.